

U.S. Department of Justice
United States Attorney
Eastern District of Virginia

*Main Street Centre
600 E. Main Street
Richmond, Virginia 23219-2447*

*804/819-5400
Fax 804/771-2316*

NEWS RELEASE

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For more information contact:
Susan Vick (804) 819-5471

Paul J. McNulty, United States Attorney for the Eastern District of Virginia, announced the sentencing today of Kenneth Hinkley, 42, of Stafford, Virginia, and Alexander Lapteff, 66, of Nokesville, Virginia, for criminal violations of the Clean Water Act, by the Honorable Henry E. Hudson, United States District Judge. Lapteff was sentenced to 36 months of imprisonment, payment of a \$5,000 fine, and was prohibited from future employment operating a wastewater treatment plant, or providing related laboratory sampling and testing services to such treatment facilities. Judge Hudson admonished the defendant for abusing his advanced educational background (Lapteff holds a PhD in Chemical Engineering) and for being a “rogue” operator who breached his trust to protect the environment. Lapteff was immediately remanded to the custody of the U.S. Marshal to begin his incarceration.

Hinkley was sentenced to 11 months of imprisonment despite being deemed “less culpable” by Judge Hudson. Judge Hudson also sentenced Hinkley to one year of supervised release, a \$5,000 fine, 50 hours of community service, and occupational restrictions similar to those imposed on Lapteff.

On July 11, 2003, Hinkley pleaded guilty to knowingly violating the Clean Water Act. Hinkley also agreed not to participate in the ownership or management of any business activity involving the operation or maintenance of a wastewater or drinking water facility, or provide related laboratory sampling and testing services to such treatment facilities. He also agreed to surrender his Class I wastewater treatment license issued by the Commonwealth of Virginia.

On July 24, 2003, following a three-day trial in Richmond, Virginia, a federal jury found Lapteff guilty of negligently failing to properly operate and maintain a wastewater treatment facility in Christchurch, Virginia, making false statements in the facility’s log book, making false statements in monthly discharge monitoring reports submitted to the Virginia Department of Environmental Quality, and taking and withholding the facility’s monitoring records.

The charges stemmed from the mismanagement of the wastewater treatment facility at Christchurch School in Middlesex County, Virginia. On May 9, 1997, Christchurch School hired Hinkley’s company, Analytech, Inc., a wastewater treatment contract, operations, and laboratory analysis firm in Woodbridge, Virginia, to run the school’s sewage plant. From May 1997 to March 2002 Hinkley and Lapteff systematically neglected the operation and maintenance of the plant, causing the discharge of sludge and chlorine into a tributary of the Rappahannock River.

In addition, Lapteff made repeated false entries in the facility's log books. During a billing dispute, Lapteff removed the log books, and he and Hinkley later used them as leverage in an attempt to obtain payment from the school.

James Thompson, Special Agent in Charge, Philadelphia Area Office, Criminal Investigation Division, U.S. Environmental Protection Agency, Donald Thompson, Special Agent-In-Charge, Federal Bureau of Investigation, and Robert Bumley, Director, Virginia Department of Environmental Quality, join Mr. McNulty in this announcement.

The case was investigated by agents of the Environmental Protection Agency, the Virginia Department of Environmental Quality, and the Federal Bureau of Investigation, and was prosecuted by Assistant United States Attorneys John Davis and Olivia Hawkins and Special Assistant U.S. Attorney Jon Jacobs.

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